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November 20, 2003

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Re: Inventor(s): Duncan L. MacFarlane
Patent Application Entitled: FILTER FOR SELECTIVELY PROCESSING OPTICAL
AND OTHER SIGNALS
Serial No.: 10/650,658
Filed: August 28, 2003
Our File No.: 119941-1096

Dear Sir:

Enclosed for filing in connection with the above-referenced patent application are the following documents:

1. Information Disclosure Statement (3 pp.);
2. PTO/SB/08A and PTO/SB/08B and 1 Non-Patent Literature Document (12 pp.); and
3. Return postcard.

Please file the above-referenced documents and return the date-stamped postcard to our office at the above address. It is believed that no additional fees are due other than an issue fee. If this is incorrect, the Commissioner is hereby authorized to charge any fees due which may be required by this paper to Deposit Account No. 07-0153.

In the meantime, if you have any questions or comments concerning any of the above, please call the undersigned at your convenience. Otherwise, please accept the enclosed.

Respectfully submitted,
Gardere Wynne Sewell LLP

James O. Skarsten

James O. Skarsten
Registration No. 28,346
JOS:llg
Enclosures



THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Duncan L. MacFarlane

Serial No.: 10/650,658

Filing Date: August 28, 2003

Examiner: NOT YET KNOWN

Group No.: NOT YET KNOWN

For: FILTER FOR SELECTIVELY PROCESSING OPTICAL AND OTHER SIGNALS

Certificate of Mailing under 37 CFR 1.8

I hereby certify that this correspondence is being deposited with the United States Postal Service as First Class Mail in an envelope, with sufficient postage, addressed to: Commissioner for Patents, P. O. Box 1450, Alexandria, VA 22313-1450, on November 20, 2003.

A handwritten signature in black ink, appearing to read "Linda L. Gibson".

Linda L. Gibson_____
Typed or printed name of person signing certificate

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

INFORMATION DISCLOSURE STATEMENT

As listed on the accompanying form PTO-1449, submitted herewith are copies of the indicated references which Applicant believes may be material to the examination of the above-identified application, and in respect of which there may be a duty to disclose in accordance with 37 CFR §1.56.

The filing of this Information Disclosure Statement shall not be construed as a representation that a search has been made, an admission that the information cited is, or is considered to be, material to patentability, or that no other material information exists. Further, the filing of this Information Disclosure Statement shall not be construed as an admission against interest in any manner. Written notification that the enclosed references have been considered in their entirety by return of a copy of the enclosed form, completed by the Examiner, is respectfully requested.

IDENTIFICATION OF TIME OF FILING THE
INFORMATION DISCLOSURE STATEMENT

- [] This Information Disclosure Statement is being filed within three months of the filing date of the national application.
- [] This Information Disclosure Statement is being filed within three months of the date of entry of the national stage as set forth in §1.491 in an international application.
- [X] This Information Disclosure Statement is being filed before the mailing date of the First Office Action on the merits.
- [] This Information Disclosure Statement is being filed after three months of the filing date of the national application or after three months of the date of entry of the national stage as set forth in § 1.491 in an international application or after the mailing date of the first Office Action on the merits, but before the mailing date of either a final action under § 1.113 or a notice of allowance under § 1.311, or an action that otherwise closes prosecution in the application.

Accompanying this transmittal is:

- [] a statement specified in 37 CFR § 1.97(e); or
- [] a fee set forth in 37 CFR § 1.17(p)
- [] This Information Disclosure Statement is being filed after the mailing date of a final action under § 1.113, or a notice of allowance under § 1.311 but before the payment of the issue fee.

Accompanying this transmittal is:

1. a statement as specified in 37 CFR § 1.97(e); and
2. a fee set forth in 37 CFR § 1.17(p)

STATEMENT FOR INFORMATION DISCLOSURE STATEMENT 37 CFR § 1.97(e)

(Only if Required Above)

I, the person(s) signing below hereby states that:

- [] each item of information contained in the information disclosure statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of the information disclosure statement. 37 CFR § 1.97(e)(1); or
- [] no item of information contained in the information disclosure statement was cited in a communication from a foreign patent office in the counterpart foreign application to the knowledge of the person signing the certification after making reasonably inquiry, no item of information contained in the information disclosure statement

was known to any individual designated in § 1.56(c) more than three months prior to the filing of the information disclosure statement. 37 CFR § 1.97(e)(2).

FEE PAYMENT

[] attached is a check in the amount of \$ _____

[] charge Deposit Account No. 07-0153 in the amount of \$ _____

Applicants believe no additional fees are due for the filing of this IDS. However, if any additional fees are due, or any overpayments have been made, please charge, or credit our Deposit Account No. 07-0153.

Respectfully submitted,

GARDERE WYNNE SEWELL LLP

James O. Skarsten

James O. Skarsten
Registration No. 28,346
Attorneys for Applicant

Dated: November 20, 2003

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Please type a plus sign (+) inside this box →

PTO/SB/08A (08-00)

Approved for use through 10/31/2002. OMB 0651-0031

Approved for use through 10/31/2002. GMD 3501-003
Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

Substitute for form 1449A/PTO		<i>Complete if Known</i>	
INFORMATION DISCLOSURE STATEMENT BY APPLICANT		Application Number	10/650,658
(use as many sheets as necessary)		Filing Date	August 28, 2003
		First Named Inventor	Duncan L. MacFarlane
		Group Art Unit	NOT YET KNOWN
		Examiner Name	NOT YET KNOWN
		Attorney Docket Number	119941-1096
Sheet	1	of	2

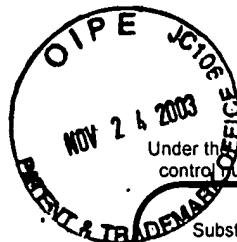
U.S. PATENT DOCUMENTS

FOREIGN PATENT DOCUMENTS

Examiner Signature		Date Considered	
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* EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.
1 Unique citation designation number. ²See attached Kinds of U.S. Patent Documents. ³Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. ⁶Applicant is to place a check mark here if English language Translation is attached.



PTO/SB/08B (08-00)

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Substitute for form 1449B/PTO

INFORMATION DISCLOSURE STATEMENT BY APPLICANT

(use as many sheets as necessary)

Sheet 2 of 2

Complaint if Known	
Application Number	10/650,658
Filing Date	August 28, 2003
First Named Inventor	Duncan L. MacFarlane
Group Art Unit	NOT YET KNOWN
Examiner Name	NOT YET KNOWN
Attorney Docket Number	19941-1096

OTHER PRIOR ART – NON PATENT LITERATURE DOCUMENTS

Examiner Signature		Date Considered	
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*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

¹Unique citation designation number. ²Applicant is to place a check mark here if English language Translation is attached.

Burden Hour Statement: This form is estimated to take 2.0 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, Patent and Trademark Office, Washington, DC 20231.
DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.